

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

MELISSA M. OLSON,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting  
Commissioner of Social Security,

Defendant.

CV 22-123-BLG-SPW-TJC

ORDER

Plaintiff Melissa M. Olson ("Olson"), by and through her attorney, John E. Seidlitz, Jr., moves under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. §2412(d), for attorney fees incurred in prosecuting her Social Security Appeal. Plaintiff requests \$7,870.83 in fees.

Counsel for Defendant Commissioner of Social Security ("Commissioner") has been contacted and does agree to fees in the amount of \$7,870.83.


Upon Plaintiff's application for fees under the Equal Access to Justice Act (Doc. 15), and for good cause showing;

**IT IS HEREBY ORDERED** that Olson's Application for Award of EAJA Fees (Doc. 15) is **GRANTED**. Olson shall recover from the Commissioner \$7,870.83 in fees.

**IT IS FURTHER ORDERED** that if, after receiving the Court's EAJA fee order, the Commissioner (1) determines upon effectuation of the Court's EAJA fee order that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, (2) agrees to waive the requirements of the Anti-Assignment Act, and (3) is provided a valid assignment of fees executed by Plaintiff, the fees will be made payable to Plaintiff's attorney via electronic funds transfer.

However, if there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and a check for any remaining EAJA fees after offset will be paid by a check made out to Plaintiff, but delivered to Plaintiff's attorney's office as follows: John E. Seidlitz, Jr. Seidlitz Law Office 12 – 6<sup>th</sup> Street South, 1A, P. O. Box 1581, Great Falls, MT 59403-1581.

DATED this 24<sup>th</sup> day of August, 2023.

  
SUSAN P. WATTERS  
United States District Judge